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DATE 12/19/01

U.S. DISTRICT COURT  
WESTERN DISTRICT  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
FILED

DEC 27 2001

ROBERT H. SHEMWEILL, CLERK  
BY [Signature] DEPUTY

IRMA J. JOHNSON  
VERSUS  
SEARS, ROEBUCK & COMPANY

Civil Action No. 13-452 PM '01

**CV 01-2714 M**  
JUDGE JAMES

COMPLAINT FOR DAMAGES

Plaintiff, IRMA J. JOHNSON, sets forth her claims for relief as follows:

MAGISTRATE JUDGE KIRK

1.

This action is brought pursuant to Title VII of the Civil Rights Act of 1964, 42USC§2000 et seq. Jurisdiction of this court is invoked pursuant to 42USC§2000 e-5f and 28 USC §1343 (A) (1), and (4).

2.

Plaintiff, IRMA J. JOHNSON, is a resident of the Western District of Louisiana who applied for employment with Defendant Sears, Roebuck and Company at its store located at 4800 Milhaven Road, Monroe, Louisiana.

3.

Defendant, Sears, Roebuck and Company, is a foreign corporation doing business in the Western District of Louisiana; and is an employer as defined in 42USC§2000e-(b), engaged in an industry affecting commerce and employing more than 15 persons. Unlawful employment practices alleged herein were committed by the agents of the Defendant in the Western District.

4.

On or about August 15, 2000, Irma Johnson was hired by Defendant as a stock clerk and was told to report for work the following Monday, and to wear pants.

5.

Irma Johnson advised her supervisor that her religion did not permit women to wear pants,



but that she would wear shorts under her skirt.

6.

Johnson was told that the company could not use her services, and was immediately terminated.

7.

Defendant made no effort to accommodate the religious practices of Irma Johnson by considering alternatives to its dress code.

8.

The attire of Johnson would not cause undue hardship in the conduct of Defendant's business.

9.

Irma Johnson filed a charge with the Equal Employment Opportunity Commission (EEOC), alleging discrimination because of her religion. The EEOC notified Plaintiff by letter dated October 31, 2001 that she was entitled to initiate a civil action in the United States District Court as provided in 42 USC§2000 e-5 (e) and (f).

10.

Defendants have intentionally engaged in unlawful employment practices by denying Plaintiff equal employment opportunities because of her religion.

11.

Plaintiff has suffered lost wages and mental anguish and continues to suffer irreparable harm by reason of the illegal practices of Defendant.

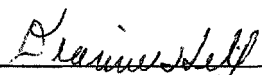
12.

As a result of the unlawful acts of Defendant, Plaintiff has suffered damages and seeks lost

wages and lost benefits with interest; liquidated damages equal to the amount of wages and benefits lost plus interest; reasonable attorney fees; and all costs of prosecution of this claim.

WHEREFORE, Plaintiff prays that this court:

- A) Order Defendant by mandatory injunction to enjoin from engaging in the above unlawful employment practices and take such affirmative actions as are necessary to assure that the effects of said violations are eliminated;
- B) Order Defendant to reinstate Plaintiff with back pay and compensatory, punitive, and liquidated damages for the losses she sustained by reason of its violations;
- C) Order Defendant to pay Plaintiff's costs in this action, including reasonable attorney fees; and
- (D) Order all general and equitable relief as the Court deems necessary or proper.

  
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DIANNE HILL (14992)  
ATTORNEY AT LAW  
130 DeSiard STE 501  
MONROE, LA 71201  
(318) 325-6398

Service:

SEARS, ROEBUCK & COMPANY  
Through its agent for service  
CT Corporations System  
8550 United Plaza Boulevard  
Baton Rouge, LA 70809

**NOTICE OF RIGHT TO SUE -- TITLE VII / ADA**  
(Conciliation Failure)

**To:**

Irma Johnson  
15-B Breece Circle  
Monroe, LA 71202

**From:**

U.S. Equal Employment Opportunity Commission  
New Orleans District Office  
701 Loyola Avenue, Suite 600  
New Orleans, Louisiana 70113



On behalf of a person aggrieved whose identity is  
(29 C.F.R. 1601.7(a))

**Charge Number****EEOC Representative****Telephone Number**

270-A1-0441

Michelle T. Butler, Supv. Trial Attorney

(504) 589-6817

( See the additional information attached to this form )

The Commission has found reasonable cause to believe that your charge of employment discrimination is true but has not entered into a conciliation agreement to which you are a party because attempts to achieve such a voluntary settlement with respondent(s) have been unsuccessful.

The Commission has determined that it will not bring a civil action against the respondent(s) and accordingly is issuing this Notice of Right to Sue. With the issuance of this Notice the Commission terminates its process with respect to your charge, except that the Commission may seek status as intervenor if you decide to sue on your own behalf as described below.

If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in United States District Court. IF YOU DECIDE TO SUE, YOU MUST DO SO WITHIN NINETY (90) DAYS FROM YOUR RECEIPT OF THIS NOTICE OF RIGHT TO SUE: OTHERWISE YOUR RIGHT TO SUE IS LOST.

Your suit may include any allegation contained in your charge of employment discrimination or any matter which was or should have been discovered by the Commission during its investigation of your charge.

I certify that this notice was mailed on the date set out below.

On Behalf of the Commission

10/31/01  
(Date Mailed)

Patricia T. Bivins  
PATRICIA T. BIVINS, District Director

**Enclosures**

Information sheet  
Copy of Charge

cc: Respondent(s) Sears Roebuck and Company  
4800 Milhaven Road  
Monroe, LA 71202